

REMARKS/ARGUMENTS

1.) Claim Amendments

Applicant has amended Claims 17, 29, and 41. Claims 1-16, 19, 23, and 31 have been cancelled. Accordingly, Claims 17-18, 20-22, 24-30, and 32-42 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

2.) Double Patenting

Claims 17, 29, and 41 were provisionally rejected under the judicially created doctrine of obviousness type double patenting as being unpatentable over claim 30 of co-pending U.S. Patent Application No. 12/064,073 in view of APA further in view of Sweeney (US 6,401,182) and Miyawaki (US 2005/0157619). Applicant does not wish to file a terminal disclaimer at this time, but will file such a terminal disclaimer, if necessary, in the future.

3.) Claim Rejections – 35 U.S.C. § 103 (a)

Examiner rejected claims 17, 23, 26-29, 35, 38-42 under 35 U.S.C. § 103(a) as being unpatentable over Liu, *et al.* (US 2004/0068719) in view of APA or Lohse, *et al.* (US 2003/0142556). Applicant respectfully submits that claims 17, 23, 26-29, 35, and 38-42 are patentable because Liu and APA or Lohse, taken alone or in any permissible combination, fail to disclose, teach, or even suggest the elements of independent claims 17, 29, or 41. For example, Liu and APA or Lohse, taken alone or in any permissible combination, fail to disclose, teach, or even suggest “controlling the at least one optimization step by at least one optimization parameter, wherein the at least one optimization parameter includes a maximum bound on allowed padding space that a linker is allowed to introduce or a maximum number of relays that the linker is allowed to introduce,” as recited in amended independent claim 17. Amended independent claims 29 and 41 recited substantially similar elements. Thus, amended independent claims 17, 29, and 41 and all claims dependent therefrom are patentable. Applicant respectfully requests that the rejection be withdrawn.

Examiner rejected claims 18, 30 under 35 U.S.C. § 103(a) as being unpatentable over Liu in view of APA or Lohse, further in view of Ren, *et al.* (US 2004/0260734). Ren is not cited as disclosing, teaching, or even suggesting any of the elements of independent claims 17 or 29. Thus, claims 18 and 30 are patentable over Liu, APA or Lohse, and Ren, taken alone or in any permissible combination, at least due to their dependency on amended independent claims 17 or 29. Applicant therefore respectfully requests that the rejection be withdrawn.

Examiner rejected claims 20, 32 under 35 U.S.C. § 103(a) as being unpatentable over Liu in view of APA or Lohse and Ren, further in view of Szewerenko, *et al.* (US 2001/0047512) and/or O'Boyle, *et al.* ("Feedback Assisted Iterative Compilation", May 2000, pp.1-9). Szewerenko and/or O'Boyle are not cited as disclosing, teaching or even suggesting any of the elements of independent claims 17 or 29. Thus, claims 19-20 and 31-33 are patentable over Liu, APA or Lohse, Ren, and Szewerenko and/or O'Boyle, taken alone or in any permissible combination, at least due to their dependency on independent claims 17 or 29. Applicant therefore respectfully requests that the rejection be withdrawn.

Examiner rejected claims 21-22, 33-34 under 35 U.S.C. § 103(a) as being unpatentable over Liu in view of APA or Lohse and Ren, further in view of Szewerenko, and/or O'Boyle and Sweeney (US 6,401,182). Szewerenko and/or O'Boyle and Sweeney are not cited as disclosing, teaching or even suggesting any of the elements of independent claims 17 or 29. Thus, claims 21-22 and 33-34 are patentable over Liu, APA or Lohse, Ren, and Szewerenko and/or O'Boyle, and Sweeney, taken alone or in any permissible combination, at least due to their dependency on independent claims 17 or 29. Applicant therefore respectfully requests that the rejection be withdrawn.

Examiner rejected claims 24-25, 36-37 under 35 U.S.C. § 103(a) as being unpatentable over Liu in view of APA or Lohse, further in view of O'Boyle, and Peyton, Jr., *et al.* (US 5,920,723). O'Boyle and Peyton are not cited as disclosing, teaching, or even suggesting any of the elements of independent claims 17 or 29. Thus, claims 24-25 and 36-37 are patentable over Liu, APA or Lohse, O'Boyle, and Peyton, taken alone or in any permissible combination, at least due to their dependency on independent

claims 17 or 29. Applicant therefore respectfully requests that the rejection be withdrawn.

CONCLUSION

In view of the foregoing remarks, Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. Applicant, therefore, respectfully requests that Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

Applicant requests a telephonic interview if Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,
/ Ronald S. Liu /

Date: April 23, 2012

Ronald S. Liu
Reg. No. 64,170

6300 Legacy Drive
M/S EVR 1-C-11
Plano, TX 75024
972-583-8512
ronald.liu@ericsson.com